

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jong-hyun LEE

Application No.: 10/645,639

Confirmation No.: 8017

Filed : August 22, 2003

Group Art Unit: 2625

Customer No. : 38209

Examiner: Stephen M. Brinich

For: METHOD AND APPARATUS TO ENHANCE DIGITAL IMAGE QUALITY

Mail Stop Issue Fee
Commissioner for patents
P.O. Box 1450
Alexandria, VA 22313-1450

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE
UNDER 37 C.F.R. § 1.104**

Sir:

The Examiner provided a Statement of Reason for Allowance in the Final Office Action, mailed October 30, 2007, in which the Examiner indicated that, "the art of record does not teach or suggest the recited history information updating arrangement in conjunction with the recited determination of pixel types, block feature types, and area types and the recited selective processing in accordance with those determinations."


As specified in MPEP 1302.14, "care must be taken to ensure that such reasons are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims." It is respectfully submitted that the Examiner's Statement is not an accurate quote with respect to each of the allowed claims, and instead, raises "possible misinterpretations, and possible estoppel effects" (MPEP 1302.04) and accordingly, should be disregarded.

The Examiner's statement appears to unnecessarily limit the claims to, for example, a "history information updating arrangement in conjunction with a determination of pixel types, block feature types, and area types," (emphases added). However, claim 49, for example, defines neither a history updating arrangement nor a determination of block feature types or

area types. While perhaps being useful in understanding the invention, the Examiner's comments could lead to an unwarranted and unnecessary narrowing interpretation of the claims. Therefore, it is further submitted that the claims should not be interpreted based on the Examiner's statement.

It is further submitted that the claims are not constrained by such device or method limitations and that the claims speaks for themselves as to what features are included therein and are their own best evidence as to the reasons for allowance of same.

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